

REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY

FEBRUARY 16, 2004
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers
Commissioner Tracey Turner Thurman
Commissioner Andrew S. Layson
Commissioner Robert Roach
Mayor William I. May, Jr. (5)
ABSENT: None (0)

Invocation given by Reverend Jana Hall, First Presbyterian Church, followed by a moment of silence in memory of former City Solicitor A. J. Higgs and Golf Pro Gene Hilen, both of whom passed away earlier this date.

Following roll call, Commissioner Bowers requested correction to minutes of February 7, 2004 to reflect that she did not attend closed session. It was moved by Commissioner Thurman, seconded by Commissioner Layson, that the reading of the minutes of January 15, 2004 Special Meeting, January 26, 2004 Special Meeting, February 2, 2004 Work Session, February 7, 2004 Special Meeting as amended and Work Session, and February 9, 2004 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Ordinances

"AN ORDINANCE REPEALING FRANKFORT/FRANKLIN COUNTY ZONING DISTRICT REGULATIONS, ARTICLE 1, SECTION 1.09 PROVISION FOR WAIVERS AND MODIFICATIONS" was presented and read. Speaking in opposition to ordinance was Attorney Charles E. Jones. Following discussion, ordinance was removed from agenda.

"AN ORDINANCE ADOPTING SUBDIVISION AND SITE PLAN REGULATIONS FOR FRANKFORT AND FRANKLIN COUNTY" was presented and read. This ordinance had its first reading January 15, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 3, 2004 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 16, 2003 SERIES, AND FRANKFORT MUNICIPAL CODE SECTION 15.16.150 - INSPECTION FEES (ELECTRICAL)" was presented and read. This ordinance had its first reading January 15, 2004. It was moved by Commissioner Layson, seconded by Commissioner Bowers, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 4, 2004 Series)

"AN ORDINANCE AMENDING ORDINANCE NO. 7, 2003 SERIES, APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2003-2004" was presented and read.

"AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR THE SEWER LATERAL PROGRAM FOR FISCAL YEAR 2003-2004" was presented and read.

Orders

"AN ORDER AMENDING ORDER NO. 12, 2003 SERIES, RELATING TO CONDITIONS OF EMPLOYMENT FOR FIREFIGHTERS" was presented. It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called.

Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 4, 2004 Series)

“AN ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY, TOURISM DEVELOPMENT CABINET, DEPARTMENT OF FISH AND WILDLIFE RESOURCES, FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$10,000 FOR INTERPRETATIVE WETLAND TRAIL AND ELEVATED BOARDWALK CONSTRUCTION AT COVE SPRING PARK” was presented. It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 5, 2004 Series)

“AN ORDER RENAMING TO BE ANNOUNCED AVENUE AS CHAMBERLIN AVENUE” was presented. It was moved by Commissioner Thurman, seconded by Commissioner Layson, that the order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Order No. 6, 2004 Series)

Consent Calendar

The following miscellaneous and personnel items were presented:

- 6.1 Authorization for renewal of agriculture lease with Michael L. Harrod for 35 acres of pastureland on the northeast end of Capitol View Park, lease renewal for one year, from March 1, 2004 through March 1, 2005 (Parks and Recreation);
- 6.2 Authorization to submit application for the Rolf H. Jenson Memorial Public Education Award funded by the RJA Group, Inc., in amount of \$5,000 with no local match required, for fire and life safety education program (Fire Department);
- 6.3 Authorization for vehicles/equipment from all City departments to be declared as surplus and authorize disposal through public auction (Finance Department);
- 6.4 Personnel
 - § Resignation of Meri M. Thakurdas, Staff Planner, effective January 16, 2004 and authorize payment of 41.25 hours accrued vacation leave (Planning and Building Codes);
 - § Resignation of Todd T. Turner, Mechanic I, effective February 16, 2004 and authorize payment of 64.5 hours accrued vacation leave (Vehicle Maintenance Garage);
 - § Resignation of Thomas VanNatta, Patrol Officer, effective February 15, 2004 and authorize payment of 70 hours accrued vacation leave and 72 hours accrued holiday leave (Police Department);
 - § Retirement of Judy Ellis, Administrative Specialist, effective January 30, 2004 (City Manager's Office);
 - § Reclassification of Dallas K. King to Mechanic I position from Equipment Operator I and transfer from Public Works Department to Vehicle Maintenance Garage effective February 17, 2004;
 - § Reclassification of John Noe to License Enforcement Officer position from Office Assistant and transfer from Public Works Department to Finance Department effective February 17, 2004;
 - § Appointment of Jason E. Combs to position of Firefighter/EMT effective March 16, 2004 (Fire Department);
 - § Confirmation of Jeffrey Roberts, Patrol Officer, effective March 13, 2004 (Police Department);
 - § Extend conditional offer of employment, contingent upon successful completion of physical, psychological, polygraph and drug screen examinations, to Jerry Marcum, Jeffrey Pearce, Jason King and Michael Ball for position of Patrol Officer (Police Department);

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

Board Appointments

Public Works Director Jeff Hackbart discussed formation of Stakeholder Group for Stormwater Phase II Program and invited citizens who would be interested in serving on the Group to submit letters of interest by February 23, 2004.

Old Business

It was moved by Commissioner Layson, seconded by Commissioner Thurman, that engineering design and construction management contract with Brighton Engineering Company for the Leonardwood Drive Extension Project be amended for additional construction management services that were required, at a cost of \$6,120, increasing the not-to-exceed amount from \$23,400 to \$29,520, with funding from Capital Improvements. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Commissioner Bowers suggested the Board consider bringing in the three final candidates for the City Manager position for a forum for citizens to meet and provide input.

Following discussion regarding a police officer accompanying the Mayor while attending January, 2004 meeting of U.S. Conference of Mayors, City Solicitor directed by general consent to draft language regulating Board of Commissioners travel when the member is to be accompanied by a City employee, to require approval of other Board members prior to travel; draft to be prepared for March, 2004 Work Session.

New Business

It was moved by Commissioner Thurman, seconded by Commissioner Layson, that the Sewer Department be authorized to solicit bids for the purchase of a pallet of two-way cleanout tees and utility vaults for installation of a cleanout at the right-of-way according to the recently adopted lateral policy. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that a contract be entered with HMB Engineers for engineering services associated with the design of an 8-inch sewer extension along Shelby Street at the floodwall, at a not-to-exceed fee of \$25,000, with funding from Sewer Account 300.68.56550, HMB Engineers having been selected due to their familiarity with the sewer system in that area. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Citizen Comments

Anne Gibbs, reviewed mayoral duties under City Manager form of government, noted mayor's office needs micro-managing.

C. Michael Davenport, thanked Board for changing street name of To Be Announced Avenue, volunteered to serve on Stakeholder Group, inquired regarding city-owned Leonardwood Drive lots for sale being zoned professional office vs. commercial and not being used for low income housing.

Eric Burke, Holmes Street Task Force, City assigned staff has not scheduled meeting for Task Force since November, 2003.

Commissioner Comments

Commissioner Bowers announced Big Brothers/Big Sisters Bowl-for-Kids being held March 7-13.

Commissioner Thurman recommended Board adjourn meeting in honor of Gene Hilén.

Board members extended condolences to families of Jim Higgs and Gene Hilén.

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, that the Board meet in closed session in accordance with KRS 61.810 (1), (c), (f), to discuss litigation and personnel. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

MAYOR

ATTEST:

CITY CLERK